

REMARKS/ARGUMENTS

Applicant's attorneys respectfully request reconsideration and withdrawal of the rejections of the instant application in view of the following remarks, which place the application into condition for allowance.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-3 are pending in this application and are rejected in the Office Action mailed on January 31, 2007.

II. THE REJECTIONS UNDER 35 U.S.C. § 102(b) AND 35 U.S.C. § 103(a)

In the Office Action, claims 1-3 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent Application Publication No. 2002/0008879 to Morimatsu (“Morimatsu”). Additionally, on page 4 of the Office Action, claims 2 and 3 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Morimatsu in view of U.S. Patent No. 6,175,659 to Huang (“Huang”). The rejection is traversed for at least the following reasons.

As recited in instant claim 1, the present invention is directed to an image processing system comprising, *inter alia*,

[an] object pixel detecting means comprises a density judgment section which determines the relevant pixel to be a prospective object pixel when the density of the relevant pixel is higher than a first threshold value higher than the density of the background of the border of the original and not higher than the density of a thinnest line in lines which form said characters and is not higher than a second threshold value not lower than the density of a thinnest line in lines which form said characters

Paragraph [0010] of U.S. Patent Application Publication No. 2004/0052428 (the “Instant Application”) (Emphasis added). As disclosed in at least paragraph [0010] and depicted in

Figure 2 of the instant application, a determination of whether pixel enhancement is to be carried out on a relevant pixel is made after determining if the relevant pixel is on the edge of a character. The determination of the relevant pixel as an edge pixel is accomplished by comparing a relevant pixel to a lower threshold, which is some degree greater than the background of the original, and to an upper threshold, which is some degree less than the density of the thinnest line forming the characters in the original. If the density of the relevant pixel is higher than the first (lower) threshold value, and if the density of the relevant pixel is less than the second (upper) threshold, the relevant pixel is determined to be on an edge of the character and will be enhanced.

In contrast, as presently understood by Applicant's attorneys, Morimatsu relies on a comparison of the density of a target pixel with two adjacent pixels. If the difference between either adjacent pixel and the target pixel exceeds a certain predetermined value, the target pixel is determined to be part of the edge. When the density difference between both adjacent pixels and the target pixel are less than the predetermined value, the target pixel is determined to be other than an edge pixel. There is no teaching or suggestion in Morimatsu to compare the density of character pixels with pixels representing the background of the original. Nor is there any teaching or suggestion to compare the density of the target pixel with the density of a pixel representing the thinnest line in the original. Accordingly, Applicants' attorneys respectfully submit that Morimatsu fails to at least disclose or suggest a method of determining if a target pixel is on an edge of an original character by comparing the density of the target pixel with the density of a background pixel in the original and with the density of the thinnest line found in the original.

In order for a Section 102 rejection to stand, the prior art reference must contain all of the elements of the claimed invention. *See Lewmar Marine Inc. v. Bariant Inc.*, 3 U.S.P.Q.2d 1766 (Fed. Cir. 1987). Applying the law to the instant facts, because, as discussed above, the sections of Morimatsu relied upon by the Examiner in the Office Action do not provide for a method of comparing the density of a target pixel with the density of a background pixel and the density of a pixel in a thinnest line of an original character, the Section 102(b) rejections must fail as a matter of law. Accordingly, Applicants' attorneys respectfully request that the Section 102 rejections be withdrawn.

For at least the foregoing reasons, it is respectfully submitted that independent claim 1 is patentably distinguished over the relied upon portions of Morimatsu and is therefore allowable. Further, claims 2-3 depend from claim 1 are allowable as well.

Statements appearing above with respect to the disclosures in the cited references represent the present opinions of the Applicant's undersigned attorney and, in the event that the Examiner disagrees with any such opinions, it is respectfully requested that the Examiner specifically indicate those portions of the respective reference providing the basis for a contrary view.

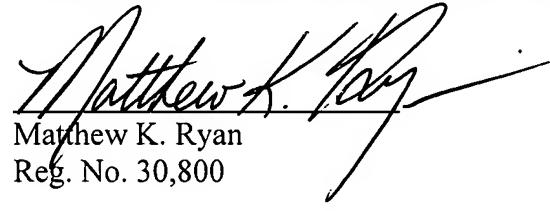
CONCLUSION

In view of the foregoing, it is believed that all of the claims in this application are patentable over the prior art, and an early and favorable consideration thereof is solicited.

Please charge any fees incurred by reason of this response and not paid herewith to Deposit Account No. 50-0320.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP

By:


Matthew K. Ryan
Reg. No. 30,800

Telephone: (212) 588-0800
Facsimile: (212) 588-0500